

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Criminal No. 5:08-CR-87-1FL
Civil No. 5:16-CV-882-FL

BRIAN LEE FOSTER,

Petitioner,

V.

UNITED STATES OF AMERICA,

Respondent.

ORDER

Having examined petitioner's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **40** days of the filing of this order.

SO ORDERED, this the 4th day of November, 2016.

Louis W. Elroyer

Louise W. Flanagan
United States District Judge